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FACSIMILE COVER SHEET

Deliver to: Liversedge, Jennifer L., USPTO	Art Group:3628					
Facsimile No.: (571) 273-8300	Date: <u>January 20, 2006</u>					
From: Jordan M. Becker, Reg. No. 39.6	502					
Our Docket No.: 3399P040	Number of pages _15_including this sheet.					
Application No.: 09/759,627	Filing Date: 1/12/2001					
	Docket Due Date(s): 1/31/2006					
Enclosed are the following documents:	The second secon					
★ Arnendment: <u>Response</u> (<u>12 pgs</u>)	☐ Issue Fee Transmittal					
Amendment:Response (_12_pgs) Appeal Brief (pgs) Application: (pgs) w/cover & abstract) Assignment & Cover Sheet (pgs) Certificate of Eacsimile Continued Prosecution Application (CPA) Declaration & POA (pgs) Drawings:sheets,figures Extension of Time: Extension of Time: Dock PTO/SB/08 (pgs) Other	☐ Notice of Appeal					
Application:	Petition for:					
(pgs) w/cover & abstract)	☐ Request for Continued Examination (RCE)					
☐ Assignment & Cover Sheet (pgs)	☐ Reply Brief (pgs)					
Certificate of Eacsimile	□ Request & Certification Under 35 USC 122(b)(2)(B)(i)					
☐ Continued Prosecution Application (CPA)	☐ Request to Rescind Previous Nonpublication Request					
☐ Declaration & POA (pgs)	☐ Response to Notice of Missing Parts & Formalities Letter					
☐ Drawings:sheets, figures	☐ Response to Written Opinion (pgs)					
Extension of Time:	☐ Terminal Disclaimer					
☑ Fee Transmittal (in duplicate)	☐ Transmittal of Publication Fee Due					
☐ IDS & PTO/SB/08 (pgs)	☐ Transmittal Letter					
Other						
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	NG/TRANSMISSION (37 CFR_1.8A) ted by facsimile on the date shown below to the United States					

Harleen Bains Date

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FEE TRANSMITTAL	Application Num			JAN Z U ZOU				
for FY 2005	Filing Date	January 1						
Patent fees are subject to unfual revision.	First Named Inv							
Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name		e, Jennifer	L				
	Art Unit	3628						
TOTAL AMOUNT OF PAYMENT (\$) 0.	00 Attorney Docket	No. 3399P040						
METHOD OF PAYMENT (check all that apply)								
	Other (please id	entify):						
☐ Check ☐ Credit card ☐ Money Order ☒ None ☐ Other (please identify):								
For the above-identified deposit account, the Director is hereby authorized to: (check all that apply) Charge fec(s) indicated below Charge fee(s) indicated below, except for the filing fee Charge any additional fee(s) or underpayment of fee(s) Under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.								
FEE CALCULATION								
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SUBMITTED BY			Comp	lete (if applicable)				
Name (Print/Type) Jordan M. Becker	Registration No. (Attorney/Agent)	39,602	Telephone	(408) 720-8300				
Signature M			Date	01/20/06				
	215/2004.							
Based on PTO/SE/17 (12-04) as modified by placety, Scikolali. Taylor 8. Zatman (wtr) 12 SEND TO: Commissionar for Patorits, P.O. pox 1450, Alexandria, VA 22313-1450								

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FEE TRANSMITTAL for FY 2005	Application Number	09/759,627						
	Filing Date	January 12						
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Applicant claims small entity status. See 37 CFR 1.27.	Examiner Name	Liversedge	, Jennifer I	J				
	Art Unit	3628						
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METHOD OF PAYMENT (check all that apply)								
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Deposit Account Deposit Account Number: 02-2666	Peposit Account Nan	ne: Blakely, Soki	oloff, l'aylor	r & Zarman LLP				
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under 37 CFR §§ 1.16, 1.17, 1.18 and 1.20.								
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1809 790 1809 395 Filing a submission after final rejection (37 CFR (
1910 790 2810 395 For each additional invention to be examined (37 CFR § 1,129(b))								
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Name (PrintType) Jordan M/Becker	Registration No. (Attorney/Agent)	39,602	Telephone	(408) 720-8300				
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Signature	\		<i>Date</i>					

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JAN 2 0 2006

Attorney Docket No.: 3399P040

Patent

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re Patent Application for:

Ryan J. Nobrega et al.

Serial No.: 09/759,627

Filing Date: January 12, 2001

For: METHOD AND APPARATUS FOR PERFORMING A CREDIT BASED TRANSACTION BETWEEN A USER OF A WIRELESS COMMUNICATIONS DEVICE AND A PROVIDER OF A

PRODUCT OR SERVICE

Mail Stop Amendment Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450 Examiner: Liversedge, Jennifer L. Group Art Unit: 3628

Certificate of Transmission I hereby certify that this correspondence is being facsimile transmitted to the Patent and Trademark Office on: January 20, 2006 (Date of Transmission) Harisen Bains (Printed name) Laura Januar<u>y 20, 2006</u> (Date) (Signature)

RESPONSE TO OFFICE ACTION

Dear Sir:

In response to the Office Action mailed on October 31, 2005, please reconsider the present application in view of the following remarks:

Claims 33-38 stand rejected under 35 U.S.C. § 102(a) as allegedly being anticipated by U.S. Patent no. 6,609,113 of O'Leary et al. ("O'Leary"). Claims 1-8, 17-32, 39-45 and 50-56 stand rejected under 35 U.S.C. § 103(a) as allegedly being unpatentable based on O'Leary.

Applicants respectfully traverse the rejections. No claims have been canceled, amended or added.